

THE VIRGINIA GAZETTE, & GENERAL ADVERTISER.

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FRIDAY, MARCH 5, 1862.

[VOLUME XVI.]

RUNAWAY,

From the subscriber, on Friday last, a yellow man slave named

Anthony.

HE is about five feet eight inches high, twenty-five years old, has a remarkable thick black beard, had on when he went away a short blue coat, bordered with red, with a red cape; he also took with him a variety of other clothing; was formerly the property of Mr. Henry Gerard Latus, at the Bowling Green, where it is supposed he will attempt to go. He was born in Richmond county, and has acquaintances in Surry. Any person who will secure the above mentioned slave, or deliver him to me in this place, shall receive compensation adequate to the trouble, and all expenses paid.

BEN: MOSBY.

Richmond, Feb. 8, 1862.

Robert & Allan Pollok & Co.

Are now receiving by the late arrivals from London, Liverpool, & Glasgow, A GENERAL ASSORTMENT OF

DRY GOOD,

SUITED to the present and approaching season, which they offer FOR SALE on moderate terms.

BUCHANAN & POLLOK,

Of Petersburg, and

ROBERT POLLOK & Co.

Of Manchester.

Are also now opening their supplies of FALL AND WINTER GOODS

Richmond, October 8, 1861.

United States Fourth Circuit,

Eastern District of Virginia.

December term, 1861.

Mary Douglas, plaintiff,
Against
Thomas Blane & James
Patton, jun. defts.

THE defendant Thomas Blane, not having entered his appearance and given security according to the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this district, on the motion of the plaintiff, by his counsel, it is ordered, that the said defendant do appear here on the first day of the next court, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some one of the newspapers published in the city of Richmond for two months successively, and posted up at the front door of the capitol, in the said city.

A Copy 1 cts.

Wm. MARSHALL, Clerk.

THE CONNECTION between BERKELEY and DAVIS, at the EAGLE TAVERN, is dissolved this day. All persons having claims against them, are requested to make them known immediately.

Richmond, Feb. 16, 1862.

New Millinery.

M. PHEOPE,

RESPECTFULLY informs the Ladies of Richmond and its vicinity, that she has received by the late arrivals from London and New York, an elegant assortment of MILLINERY, of the newest and most approved fashions, consisting of Circassian Turbans, Jockey Caps, Helmet Do. Dutchers of York's Whim, Busbons, Cuffs, Feathers, Flowers, Wreaths, &c. &c. which are now open for their inspection, at the house occupied as a store by Mr. Henry McClatchy, upper end of the main street, near Shockoe Hill.

Richmond, Feb. 16, 1862.

James P. Hopkins,
TAYLOR,

[OPPOSITE THE CITY HOTEL]

RETURNS his grateful thanks to the citizens of Richmond and its vicinity for the encouragement he has received, and assures them, that no exertion on his part shall be wanted to deserve their future favours, being provided with good workmen, he will be able to serve them on the shortest notice, with the newest fashions and his usual punctuality.

Those of his country customers who are indebted to him, will serve him materially by immediate payment.

Richmond, Feb. 16, 1862.

Old Dare-Devil



STANDS at my house in Chesterfield county, on Appomattox river, fifteen miles above Petersburg, ten from the court house, and will cover mares by the season at Thirty-Five Dollars, ten of which will be remitted, if paid by the 10th of August, when the season expires. Mares may be fed with grain at twenty-five cents per day, which must be paid before they are taken away. It is needless to swell the advertisement with his pedigree and performance, as they have been so often ascertained heretofore—Undoubtedly he was as fleet a horse as any in England in his day—as to his blood, it is from the first crosses; that is, Herod and Eclipse. Dare Devil's get speaks for themselves, as they are the best racers on the continent, which was made manifest by their run last fall. They won at Richmond, Petersburg, New-Brunswick, Hick's Ford, Norfolk, Warrington and Tarborough, besides at many other places. No responsibility for accidents.

THOMAS GOODE.

February 12, 1862.

N. B. One Dollar to the groom.

Land for Sale.

PURSUANT to a decree of the worshipful court of King William county, made on behalf of James Price, and Wm. Brooke, complainants, against Robert Price defendant, the tract of LAND, on which Mr. Robert Price now resides, in the said county, will be sold, at King William court house, on the 22d day of March next, for ready money. There is a convenient and large brick house, with other necessary buildings on the said land, and it is supposed that the quantity of acres contained in the tract, is between 7 and 800. This situation is considered not only healthy, but elegant; and commands an extensive view, up and down the Mattaponi River, on whose banks it lies. It abounds with wild fowl and sorrelles; is in the vicinity of good fisheries, and well supplied with oysters from York River. The soil is stiff and clayey and of middling quality. This tract is about 8 miles distant from King William court house, and within two miles of Frayser's Ferry.

The Commissioners.

February 8, 1862.

Sales at Auction.

THE subscribers again beg leave to inform their friends and the public, that being still desirous to close sales of a considerable consignment of MUSLINS, consisting of elegant tamboured, printed, lappel, and printed shawls, amounting to £1000 sterling, offer them at currency for sterling, for Tobacco, of good weights, of the Richmond or Manchester inspection, at 33s. per cwt. or approved notes, or acceptances, at 6 months.

PROSSER & MONCURE, V. M.

P. S. Will be sold on the premises, on Saturday the 20th March, at 11 o'clock, A. M. for approved Notes at 60 days, One Square LOTS, on Shockoe Hill, within the corporation of the city, and known by the Nos. 59, 60, 67 and 68, in Wm. G. Payne's plat, dated 10th January 1799.

Also—One Lot, known by the No. 631, adjoining the Lots of Mr. Patrick Gibson.

P. & M. V. M.

Richmond, Feb. 22, 1862.

Eighty Dollars Reward.

STOLEN,

On the night of the 19th of January, a blood

Bay Gelding,

RISEING eight years old, about 15 hands high, nicked, and branded on the left buttock O, which shews very plain; a little white on the right hind foot just above the hoof, about half way round, which may not be observed unless examined, paces, trots and gallops. He may be disguised to prevent discovery, by altering the brand, cutting off his ears, or otherwise. He was stolen by a man whose real name, I am informed is, Obadiah Williams, though he has passed by several other names; he is six feet (or upwards) high, with large grey eyes, fair complexion, and short light hair, has a scar on the right side of his nose, and a small bit of the nostril is torn or cut out. I will give 50 dollars on conviction of the thief; 30 dollars on the delivery of the horse, or 20 dollars for such information as may enable me to get him again.

Laurence Battaille.

Caroline County, Feb. 8, 1862.

For Freight or Charter,

The fast sailing new brig

TYGER,

now laying at Norfolk, burthen about 190 tons—will take about 200 Hhds. Tobacco, or 2000 Barrels Flour; is in complete order and ready to receive a cargo. For terms apply to

WILL. TEMPLE.

Richmond, 15th Feb. 1862.

FOR SALE,

On the premises, on the 3d day of March next, if fair, if not the next fair day, that valuable property well known by the name of

SEAWELL'S TAVERN,

CONTAINING 210 acres, more or less, lying in the county of Gloucester, five miles from Gloucester Town, and ten miles from the Court-house. There is on the land a good dwelling-house, kitchen and stables; also, a good apple orchard, with a race ground, equal, if not superior to any in this State. The place is well situated for a tavern, store, or a country seat, being convenient to fish and oysters; the soil is adapted to the culture of corn, wheat, and tobacco, with a plenty of oak and pine timber. The terms of sale are, four hundred pounds, cash, and twelve months credit will be given for the balance of the purchase money; for which a mortgage on the land will be required, by

JOHN SEAWELL, Jun.

Attorney in fact, for

JOSEPH SEAWELL, Sen.

February 12, 1862.

By virtue of two deeds of trust executed to the subscriber by William Mead, will be exposed to sale, at public auction, for ready money, on the premises, for the purpose of discharging a debt due to Thomas Goodwin, Esq. of Fredericksburg, and a debt due to Mr. Joseph Sandage of Louisa; on Saturday the 27th day of March next, the

Tract of Land,

WHEREON the said Mead now resides, on Contrary River, in Louisa county, containing 216 acres, more or less, and is adjoining the lands of George and Joseph Boxley, Walter Lewis, William Kimbrough, John Burdett, John Gibson and Daniel Ford.

SAMUEL OVERTON, Jun. Trustee.

Louisa county, Feb. 8, 1862.

Mrs. Davidson,

HAS REMOVED to the house lately occupied by Mr. Gortler, next door to Mr. Robert Gordon, where she intends carrying on the business as formerly. She has received by the late arrivals from New York, a handsome assortment of

MILLENNERY,

With a variety of Gold, Silver, Silk, and Cotton Trimmings, which she will dispose of by retail.

Richmond, March 1st, 1862.

TO BE SOLD,

At Mr. Zachariah Brooke's Tavern, in Manchester, on Thursday the 12th day of March next, about

Twenty Slaves,

CONSISTING of men, women, boys and girls, very likely and valuable, among them are some experienced watermen, and valuable house servants; and, on Monday the twenty-second day of next month, at Dr. Philip Turpins, in Chesterfield county, a variety

Genteel Furniture,

Consisting of beds, chairs, tables, &c. &c. a number of well chosen books, some plantation utensils, and some stock of different kinds, belonging to the estate of the late Daniel M. Callum, dec'd.

Terms of sale, ready money, but approved acceptances of merchants in Manchester or Richmond, payable in sixty days, with interest from the day of sale, for all sums above thirty dollars, will be received in payment.

JOSEPH FRIEND,

Surviving Executor.

Manchester, Feb. 22, 1862.

HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

February 16.

Debate on the bill received from the Senate, entitled "An act to repeal certain acts respecting the organization of the courts of the United States."

(CONTINUED.)

[Mr. Henderson's Speech concluded from our last.]

But it has been said that the powers of each congress are equal, and that a subsequent legislature can repeal the acts of a former. And as this law was passed by the last congress, we have the same power to repeal it which they had to enact it. This objection is more plausible than solid. It is not contended by us that legislatures who are not limited in their powers, have not the same authority. The question is not what omnipotent assemblies can do, but what we can do under a constitution defining and limiting with accuracy the extent and boundaries of our authority. The very section in the constitution, art. 3, sect. 1, which I have read, is a proof against the power of every congress to repeal the acts of their predecessors. In the latter part of the 3d art. it is provided that the judges shall receive for their services a compensation which shall not be diminished during their continuance in office. I suppose that it will not be contended that we can diminish this compensation during the continuance of the office, and yet the salary was fixed and ascertained by a former congress; the same observations may be made with respect to compensation to the president, which can neither be increased nor diminished during the period for which he shall have been elected. It is not competent for this congress to vary the compensation to him which has been fixed by a prior legislature. It is clearly seen upon a little investigation that the position which gentlemen take is too extensive, and leads immediately to the destruction of the constitution. It does away all check and makes the legislature omnipotent. It has been asked that if a corrupt and unprincipled congress should make an army of judges, have not a subsequent congress the right of repealing the law establishing this monstrous judicial system. I answer, that they have not; the same mode of reasoning which attempts to prove this right from an abuse of power, will also prove that you may lessen the compensation of your judges. May not equal oppression be imposed upon the people, by giving your judges exorbitant salaries, as by increasing their numbers? May not the same corrupt and unprincipled motive which would lead men to the raising an army of judges, lead them to squander the public money; and may they not, instead of giving their judges 2000 dollars a year, give them 200,000? And yet, sir, if this were to take place, I know of no authority under the constitution to lessen this exorbitant compensation. The government of our country is predicated upon a reasonable confidence in those who administer our public affairs. They must have the power of acting for the public welfare, and this would never have been given them if the possible abuse of this power were a sufficient reason for withholding it. I will take the liberty of observing further, that this part of the constitution, which forbids lessening the compensation to the judges during their continuance in office furnishes a strong argument that it was the intention of the people to place their judges out of the controul of the legislature as long as they behaved well; that they did mean to render them independent of the legislature, to a certain extent, is obvious; inasmuch as they inhibit the power of reducing their salaries. For it is evident, that if they could take from their compensation, they might drive them from office, and

the consequence would have been, that our judges would have felt all that dependence which results from a consciousness that another body has the power of diminishing their comforts. I ask gentlemen if the framers of this constitution intended to give congress the power of abolishing the office of a judge, by repealing the law which created the office, and thereby displace the judge? Where could have been the propriety of forbidding his salary to be diminished during his continuance in office?

It is possible to suppose that they were more anxious to secure that independence which results from permanency of compensation, than that which results from permanency of the office itself. That they should have been altogether regardless of the power which congress was to have over the office, but limit with the utmost strictness their power of diminishing the salary, when the office itself upon which the salary depends was to be at the mercy of congress, I believe that such folly cannot with justice be attributed to those great men who gave existence to this instrument.

Again, sir, the construction which gentlemen on the other side of the house contend for, tends to the concentration of legislative and executive powers in the same hands. If congress, who have the power of making laws, can also displace their judges by repealing that which creates the offices they fill, the irresistible consequence is, that whatever law is passed the judges must carry into execution, or they will be turned out of office. It is of little importance to the people of this country whether congress sit in judgment upon their laws themselves, or whether they sit in judgment upon those who are appointed for that purpose. It amounts to the same despotism—they in fact judge the extent and obligations of their own statutes, by having those in their power who are placed in the sacred seat of justice. Whatever the legislature declares to be a law must be obeyed. The constitutional check which the judges were to be on the legislature is completely done away. They may pass ex post facto laws, bills of attainder, suspend the writ of habeas corpus in time of peace, and the judge who dares to question their authority is to be hurled from his seat. All the ramparts which the constitution has erected around the liberties of the people, are prostrated at one blow by the passage of this law. The monstrous and unheard of doctrine which has been lately advanced, that the judges have not the right of declaring unconstitutional laws void, will be put into practice by the adoption of this measure. New offences may be created by law. Oppugnations and combinations may be declared treason, and the afflicted and appalled citizen may in vain seek refuge in the independence of your courts. In vain may he hold out the constitution and deny the authority of congress to pass a law of such undefined significance, and call upon the judges to protect him; he will be told that the opinion of congress now is, that we have no right to judge of their authority; this will be the consequence of concentrating judicial and legislative power in the same hands. It is the very definition of tyranny, and wherever you find it, the people are slaves, whether they call their government a monarchy, republic or democracy.

Mr. Chairman, I see, or think I see, in this attempt, that spirit of innovation which has prostrated before it in a great part of the old world, every institution which the wisdom and experience of ages had reared up for the benefit of man. A spirit which has rode in the whirlwind, directed the storm to the fairest portion of Europe, which has swept before it every vestige of law, religion, morality and rational government, which has brought twenty millions of people at the feet of one man, and compelled them to seek refuge from

their complicated miseries in the calm of despotism. It is against the influence of this tremendous spirit, that I wish to raise my voice and exert my powers, weak and feeble as they are. I fear, sir, on the 7th of December it made its appearance within these walls, clothed in a gigantic body, impatient for action. I fear it has already begun to exert its all-devouring energy. Have you a judiciary system extending over this immense country, matured by the wisdom of your ablest and best men. It must be destroyed. Have you taxes which have been laid since the commencement of the government, and is the irritation consequent upon the laying of these taxes worn off? Are they paid exclusively by the wealthy and the luxurious part of the community; and are they pledged for the payment of the public debts? They must be abolished. Have you a mint establishment which is not only essentially necessary to protect the country against the influx of base foreign metals, but is a splendid attribute of sovereignty? It must be abolished. Have you laws which require foreigners coming to your country to go through a probationary state, by which their habits, their morals and propensities may be known before they are admitted to all the rights of native Americans? They must be repealed and our shores crowded with the outcasts of society left oppressed humanity should find no asylum on this globe!

Mr. Chairman, if the doctrine contended for by gentlemen on the other side of the house, should become the settled construction of the constitution, and enlightened America acquiesce with that construction, I declare for myself, and for myself alone, I would not leave a sigh nor shed a tear over its total dissolution. The wound you are about to give it will be mortal; it may languish out a miserable existence for a few years, but it will surely die. It will neither serve to protect its friends nor defend itself from the omnipotent energies of its enemies. Better at once to bury it, and with it, all our hope.

Mr. R. WILLIAMS, hoped to be excused by the committee if he should not follow his colleague who had just set down, into all the points which he had thought proper to make, he also hoped not to be thought wanting in point of respect for what he had said. But he objected to it, because he thought those points were not within the purview of the question. He could not see what a question of modification of the judicial system, had to do with the extinguishment of the public debt, internal taxes, or pulling down of the mint: he could see no analogy in the subjects. Believing so, he should take no notice of that part of the argument, although pretty much enlarged upon by his colleague. Mr. Chairman, in the commencement of the argument, he took occasion to notice the instructions, which the legislature of North Carolina have given to the representatives from that state in congress—Instructions to endeavor to get repealed the law which this bill is calculated to effect. He declared that his opinions were not in coincidence with those instructions, and went on to state the reasons which would direct his vote against this bill—previously, however, he deplored that his legislature should attempt to give instruction upon a question which he supposed they were not so well informed about as they ought to be.

In this opinion, sir, I cannot agree with him: I believe they have information sufficient to enable them to form a correct judgment on this as well as any other subject whatever. Why do they not understand it? I suppose because it is what gentlemen have called a great constitutional question: But can he suppose that a reason sufficient to urge against the information of the legislature of a state? Will he pretend to say that the legislature of North Carolina or any other, are less informed on this great constitutional question, than certain individuals of those states? Will he say less reliance ought to be placed on them, than on the petitions and memorials of particular cities, and sections of the union, for I find that he has placed much confidence and stress on the memorial from the bar of Philadelphia, &c.

In considering this question, my colleague has directed his observations to the constitutionality of the bill before you. To prove its unconstitutionality, he has argued from the abuse of power; in this way I will agree with him, that those in power may abuse it, and so long as man is fallible it will be impossible to conceive a mode or form of government which will guard against the abuse of power.

He states that if the legislature have a right to construe the laws and their constitutionality, they may of course such constructions as to turn all the judges out of office—a reasonable construction ought only to be put on all instruments. That there must be some power to make laws is consistent with the principles of every free government, but of what avail is that power, if another power stands paramount to those laws, and to say they are unconstitutional and void. The people of the United States, it seems in forming their government declared there should be three branches, two of which, the legislative and executive, they formed themselves the first composed of a senate and house of representatives, the second of an executive magistrate, the president, both emanating immediately or immediately from themselves—they then call on these two, to form this third department, and be denominated the judiciary: a body removed one degree further from the people, and not in the least responsible to the people for support or existence in office, except through the other two branches. Mr. Williams called on gentlemen to say, whether it was reasonable that this third branch of the government, thus constituted, should possess the power of the laws, and over the other two branches of the government. The sovereignty of the nation must exist somewhere, and in a political point of view, must be where the power and right of making laws exist? Were it even doubtful, we ought to incline to this opinion for there is more safety in that body where there is much responsibility, than where there is none—besides if the legislature become factious and act from passion, and improper motives as gentlemen suppose, the evil is soon corrected, in two years, at worst six, in which time the whole of the legislative and executive return to the common sense of the people. But, sir, the doctrine of the independence of the judges, which my colleague contends for, not only gives to the judiciary the sovereignty of the community, but will put them in a great degree beyond the power of impeachment. Suppose you pass a law, directing certain duties, &c. to be performed by the judges, they refuse to execute the law, and declare it unconstitutional and void—you impeach them, they answer, we have the right, and the power to declare your law void, and we acted from confidence, and unless we have acted bare, or transcended our powers, we are not subject to impeachment, and you are not a judge of those powers we possess—this, sir, appears to me to be the consequence of the doctrine of my colleague.

To me, sir, appears that the reasonable construction of the constitution is, that the judges shall hold their offices so long as the office itself exists; and to go further seems to be absurd. The constitution says the judges shall hold their offices during good behaviour, this certainly cannot mean, that the legislature has no control over the office, and that we never shall alter the system however defective. It can only mean, that they shall not be put out of office, and others put in their stead, so long as they behave well. My honorable colleague has compared the judges tenure of office, to a contract between two parties, I must confess, there appears to me no analogy in the cases; my colleague does know: to make a good contract, there must be two parties, and both able to contract, now, sir, when the office of judge is created, there is no judge in existence, he is to be sought out after the contract, (if the law is to be so called) is complete, and he had no part in its formation: besides, sir, in the creation of the office, is it not the interest and convenience of the people and not that of the judge which is to be consulted, without any regard to the judges, now then to

fix a compensation for the trouble and expense! Where then is the similarity between the office of judge and a simple contract intended for the mutual benefit of the contracting parties?

Mr. WILLIAMS said, as to the independence of the judges, he thought the construction of the constitution which he contended for, made the judges sufficiently independent. It never had been denied, but that the judges in Great Britain, were sufficiently independent, indeed it has been considered and he believed justly too, that the judiciary in that country was the main pillar of their government, and the greatest security the people had against the encroachments of the crown, yet they, are not as independent as the judges in this country, for in Great Britain the judges may be removed by a joint vote of Parliament. Here the legislature have no power over them except by impeachment. But says the gentleman were this doctrine good, the legislature might effect a discharge of the judges, by doing away the law, establishing the offices—granted. Were it not so, and were the judiciary so independent, and possessed the powers contended for, it would soon swallow up all the other departments of your government and have complete the sovereignty of the country.—Are we to admit the judges the power to declare your laws null and void? What lets power is that, than the making of laws? is the legislature to be told, that the judiciary can control and make void its laws: that they can do no wrong except it amounts to a palpable offence, so as to authorize an impeachment? this, sir, is an extraordinary doctrine, and destructive of our government. But, sir, my colleague has pointed out to us a new and to me an extraordinary benefit to be derived from this independence of the judiciary, which although I have understood was made use of on this occasion, I did not expect would have been repeated in this house, at all events by him, which is that the judges ought to be independent to guard the people against the world of enemies—themselves! Sir, are the American people to be told, that they are so far lost to their own interest, so vile and evil minded towards others, that we must have a set of men fifteen or twenty, secured in their functions, and independent of any power whatever, to guard them against themselves? Will they believe, or be reconciled to such doctrines? Sir, I will admit that it is possible, for the legislature to be too much under the influence of passion, at times and may pass laws which they ought not.—But where is the corrective? Shall it be found with a few men, gentlemen who, by the doctrine contended for, are under no responsibility—who never do ill—who never seek any interest but that of the people—who are so pure that you may trust them to any extent, which by the by I do not admit? No, sir, it is not to be found here, but in the immediate representatives of the people, the legislature who are responsible for their conduct to the people whence they emanate once in two years, and totally in six years, both branches, at which time the evil could be corrected.—But how is this to be done, if the power contended for, belong to the judges? Is it not more proper than this vast power should remain with the representative body, who are thus responsible, than with their judiciary.

My colleague has read a clause from the constitution of N. Carolina, which says "the judges shall hold their offices during good behavior," and urges that the words "good behavior," as then used, must have been intended as a limitation of power, and that it must refer to the legislature, because the Executive of that State, has no power to appoint, or displace the judges or any officer. I argue it is intended as a limitation of power so far as to prevent the legislature to displace or turn the judges out of office, and appoint others in their stead, by law as the legislature have the appointment; but is it not therefore to be inferred that they cannot change or repeal the law establishing the courts and office of judge—and Sir, let me ask if those words were not used in the constitution. Could it be contended but that the legislature would have a right, to

displace the judge, by a law or a vote, at discretion, without touching the system—thus sir, if the constitution is satisfied as to the words "during good behaviour," we ought not to extend their construction further, especially when it would go to put it out of the power of the legislature to do away a system which had become totally inadequate to the purposes intended, and oppression to the people. As to the expediency of the measure, I think there can be no doubt,—the new system is not more convenient to the people. I believe but in a states, are new courts established, to wit, Massachusetts, New-York, Pennsylvania and Virginia, in all the other States, the people have to attend courts at the same places as formerly—again the jurisdiction is raised from 5 to 6000 dollars, which tends to take more business from the State to the Federal courts and to carry the people further from home, and at a greater expense. It was proposed when this system passed, to carry all causes arising under the laws of the United States, into those courts, taking them from the State Courts when they have been and are now tried, this could not accommodate the people. As to its being an accommodation to the judges, at the same time that you lessen the duties of the superior court judges, you increase the circuit duties in a three fold ratio—concluded by saying he had merely stated in as concise a manner as possible, the reason why he should vote against the motion made by his colleague, for striking out the said section of the bill, and hoped it would not be.

Mr. HEMPHILL said, he would claim the attention of the committee a short time upon the important question now before them: that his task would principally be to arrange arguments which he had already heard or seen.

He would say but very little as to the expediency of passing the bill on the table, he would not go into a minute comparison of the judicial systems; but should content himself with submitting a few general observations. The alleged inutility of the law passed the 13th Feb. 1801, rested principally upon document No. 8, which accompanied the president's message. That document contains a list of all suits at common law, suits in chancery, criminal prosecutions, and admiralty causes, which have been commenced in any of the federal courts of the U. S. from May 1799, to April 1801; it appears that within the time included 8276 causes have been instituted, and of that number 1537 are now depending; in the enumeration the state of Maryland is omitted, and probably with the addition of causes in that state, the aggregate number would be 9,000, and the causes now depending about 1600. With a list of 1600 causes undecided, and an annual increase of 7 or 800, is it possible with no other assistance than would be received from a district judge, that 6 men could perform all this multiplicity of business in its original and final stages, to be transacted at so many different and distant places, in a country extending 1600 miles; and the causes could be decided with that dispatch which the public good requires. What every one would suppose to be the natural consequence of such a system has been witnessed by the gentlemen of the bar in the eastern part of Pennsylvania; who have deliberately and unanimously declared to you, that in their opinion a renewal of the late system would be attended with great public inconvenience, and without adverting to the casualties of weather or indisposition, its inevitable consequences were embarrassment, uncertainty, and delay.

Sixteen judges were appointed at an expense of 32,000 dollars, 3000 dollars of which will be saved on the first vacancy in the supreme court, and when we are about calculating the expense we should deduct the savings which the new system will certainly make; it must be acknowledged that many of the parties and witnesses will not have to far to attend court; it must be acknowledged that the causes would sooner be decided than under the old system; the unfinished business will rather increase than diminish. Omitting the admiralty causes there will be about 1500 undecided causes remaining,

and of course 3000 suitors, and if only one witness to a cause, there will be 4,500 people in motion, attending courts; from the two causes which I have mentioned there will necessarily be a considerable saving; some estimate might be made, and this saving will in some measure be equalised, as no person knows how soon he will be a party or a witness. It is for the trifling difference between this saving and the salaries of a few judges, that the liberty of the people is endangered; and if I am not mistaken a gentleman from Virginia (Mr. Giles) when the apportionment bill was before the house declared that the expense of the civil list was a trifling thing, a mere speck on the pages of expenditure, and that it was the expense of maintaining armies and fleets we should guard against.

The expense of the augmented representation in this house will be nearly if not quite equal to the salaries of the judges. I think I may with great safety appeal to the people and ask them which expense will be most to their advantage.

Before I enter into the discussion of the main question, I beg leave, Mr. Chairman, to make a few preliminary remarks. The first is, as to the salaries of the judges of the district courts of Kentucky and Tennessee, which were increased by a law, which must be acknowledged to be so far constitutional. Can you repeal the law generally, and thereby diminish the compensation of the judges? I do not mean to contend that the office of a judge is to outlive the constitution.

Every officer is removable by a change of that part of the constitution on which his office depends; if by an event the constitution should be entirely dissolved, all the officers will revert to the main mass, and the people must again begin to build up a new government. It has been said that our constitution exhibits the absurdity in the construction, of an officer, without an office; quasi a judge, entitled to his salary without any duty to perform, and the strange phenomenon of an officer not amenable to your laws, to your constitution, or to the people. These observations amount to nothing; they are taken that as a data given, which is the only thing to be proven—for the sole question is, can an office be taken away from a judge? I think no person will seriously contend that the framers of the constitution ever intended that a man should be entitled to his salary, when he was not in possession of his office; indeed the words in the constitution do not embrace the extent of the proposition; the words are during his continuance in office.

In regard to the main question, Mr. Chairman, I will in the first place read the 9th and 10th amendments to the constitution.

IX. The enumeration, in the constitution of certain rights, shall not be construed to deny or disparage others, retained by the people.

X. Powers, not delegated to the United States, by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

The question is between the people of the United States and their rulers. In behalf of the people it is contended that the power you are about to exercise does not belong to you, but that it was reserved to the people at the formation of the constitution; the rulers say no, the power belongs to us, and we can and will exercise it, whenever we deem it expedient. I submit it to the consideration of this honorable committee if in such a case there shall be a reasonable doubt whether it will not be most delicate and safe to let that doubt operate in favor of the people. We are not here, sir, clothed with the full power of the American people; we are here in a circumscribed sphere, exercising a limited power. The people are the original fountain of all power; we only possess a part of their power. Bearing constantly this view of the subject in our minds, many questions put may be readily answered. As, when it is asked, is the creature greater than its God? Cannot he who makes, destroy? Has not one legislature as much power as another? As to the two first, the idea is correct, when applied to the original power; it is correct or incorrect when applied to a limited

power, according to the words and meaning of the instrument giving that power; the instrument giving power to congress has inhibited the power, which has a right to create, from destroying, as in the case of the salary of the president and the compensation of the judges; the president and senate also have the power to appoint judges, but not to remove them; and the question is, does not the instrument giving power to congress restrain them from taking away the office of a judge, as in the above instances, giving a power to create and not destroy? As to the question, has not one legislature as much power as another? I answer yes; both deriving their power from the same instrument must be precisely the same; but this proves nothing until it is shown that the legislature can take away the office of a judge. Many other ideas advanced on this subject are predicated upon the supposed abuse of power, and strike at the very existence of written constitution, and tend to show the impracticability of being governed under them. Suppose one legislature was to create a million of judges, who is to correct this evil? Is it possible, it is asked, that another legislature should not have power instantly to correct this shameful abuse of the people's rights? Suppose, on the other hand, that a legislature, previous to a president's election, should raise the salary to a million a year, will it be contended that the next legislature, agreeably to the constitution, could decrease the salary? It will not; and why not have the power in one case as well as the other? There are many cases under our constitution, where the people have run the risk of the abuse of power, and have retained the power of correction in their own hands; and what is the plain remedy for an evil on the present case, if it should exist? If the number of your judges is a little too great, declare that the vacancies shall not be filled—if they become corrupted, impeach them; if by any uncommon event in the circumstances of the country, or the wickedness of a legislature, the number should be extravagantly great and useless, put them down by changing that part of the constitution.

And this, sir, is a monstrously difficult thing: We have already had amendments to the constitution when the emergency was not great. If an evil should grow out of any part of the constitution, it can easily be removed by the hands of the people constitutionally raised; the judges are secure and not within the reach of a raging party, yet they must always remain within the reach of the cool reflection of the nation, and if the people will not agree to make this change, it will be a proof that the evil does not exist, and the great order of things ought not to be changed for mere imaginary complaints.

If congress, in coming here, and carrying with them the sentiments of the people, and as their immediate representatives can do every thing which may appear to them for the good of the people, under every change of circumstances, a written constitution would be useless. Upon this principle the senate is unnecessary. The gentleman from North Carolina, (Mr. Henderson) has properly dilated upon this view of the subject; our constitution is founded upon different principles, and such ideas ought not to govern in putting a construction on it. The people have retained power to themselves, and have said to the legislature, thus far you shall go and no further. There are certain cases, wherein you shall not be the judges of what will or will not be for our advantage. We have fixed the principle, and have taken the responsibility upon ourselves; on this reserved ground you are not to walk: one of the great and leading principles agreed upon by the people, we contend, was the independency of the judges. They calculated that the great good flowing from this principle would far outweigh any apprehension of the abuse of this power in giving birth to too many or improper judges. If, Mr. Chairman, I have perfectly comprehended the arguments of our opponents, they all converge to one of the other of two points; 1st. That the words in the constitution refer exclusively to the executive, and are meant to render the judges independent

of him only; the second point, which is rather a subordinate one, operating in support of the first, is, that the office of judge is created by law, and not by the constitution, that is, a creature of the law, whose life and death is to proceed from the same hand: I will proceed to examine these two points, giving my hearty assent to the acknowledgment of our opponents, that it is dangerous to the liberties of the people to legislate upon constructive powers.

As to the first point, I would ask on what part of the constitution is this opinion founded, where is it so expressed? If there had been an express provision, that the executive might remove officers at pleasure, there would be some weight in the argument, though far from being conclusive, that this clause was intended to prevent him from exercising a power in regard to the judges, which he was allowed to exercise as to all other officers. When nothing of this appears on the face of the constitution, how can you infer it, for the purpose of making one implication still you in making another; you make words, which are general, apply to a part; by implication you say that the power that has a right to create has a right to destroy, if not prohibited; by this rule the executive can remove all officers of his own appointment, by the same rule of implication congress can abolish all officers of their own creating, if there is no restriction; in this way the executive and congress have each of them the officer in their power, the executive can remove the man, congress can remove the office, then comes in a general clause of restriction including both the man and the office, and to whom is it to refer? If words are the signs of ideas, to both must inevitably; and besides as a proof that it does not refer exclusively to the executive, he is not named in the section; yet congress are named, and acts to be done by congress run all through it. In the first part of the 3d art. it is decided, that 'a judge shall hold his office during good behaviour'; the office is an object of legislative creation, and the thing thus to be created by the legislature, the judge is to hold for a certain time. If the object is to prevent the executive from taking away the officer, leaving the office, a correct expression of that intention would have been, that the judges shall not be removed from office, and these words are used in the affirmative, when the officer and the office are to be separated, and the office left. [Here Mr. Hemphill read from the constitution 3d sect. 1st art. N. 7—1st sect. 2d art. N. 6, and 4th sect. 2d art.] But when the office and the officer are inseparable for a certain time, different words are used. The president shall hold his office during the term of four years; the judge shall hold his office during good behaviour—the tenure of office in each case is included in the same words.

As to the other point it is an office created by law, and not by the constitution, and therefore may be removed by a law, let this principle be fairly tested by the constitution itself, and not from any thing out of it. I aver that in every instance where the constitution has spoken of the continuance of any one thing, although the creation of the particular object is optional with congress, yet the moment they give it existence it is out of their power, and must continue during the time mentioned in the constitution. Apply this principle first to the salary of the executive and judges. The salaries are created by law, and when created their continuance is fixed by the constitution. Apply the principle to the members of this House. When the bill fixing the ratio of representation was before us, could we have fixed a ratio decreasing the present number of representatives and have made the law take effect immediately, and thereby disqualify members now on the floor from taking their seats next session, when they had been elected for two years? Yet their right to seats here was created by a law, which was discretionary as to the number. Apply the principle to the senators. New States may be admitted by congress into the Union; yet when the new State shall have been admitted, and two senators chosen in consequence of the law, can congress repeal the law, dismember the

Union in part, and turn out the senators? The right of citizenship also is acquired by a law, yet when strangers have become members of your nation, in virtue of a law, can congress repeal the law, and thereby disfranchise a part of her citizens; yet in both these cases it might be said, that they were the throes of a dying administration to provide for its friends. The law also fixing the permanent seat of government agreeably to the constitution seems to afford an analogous case, and I question if it could be repealed, unless words mean any thing, and then congress can do any thing.

(The remainder of Mr. Hemphill's speech in our next.)

BOSTON, Feb. 27.

From Europe.

The ships Nabby, Crandall, and Minerva, Burdick, have arrived at Portland, from Liverpool. The latest London papers by them, are to the 7th December; but they do not contain an article of intelligence.

Mr. Otto, Minister Plenipotentiary of the French Republic was introduced to Britannic Majesty, the 16th Dec.

France will take possession of Louisiana, immediately after the signing of the definitive treaty of Peace. A letter from Havre mentions, that several vessels were preparing to sail for New-Orleans. It will remain to be seen in what estimation our southern democratic slave-holders will hold such intriguing and ambitious neighbors.

Very little intelligence of importance has been received by the Orlando, besides what was communicated yesterday. Nothing new was stirring at Bordeaux. The measures of government in France are conducted with impenetrable secrecy. The departure of the Fleet for St. Domingo, is generally known—it is supposed it will rendezvous at an English Island, until the disposition of Toussaint and the inhabitants be ascertained. It is also furnished that a portion of the embarkation is destined for Louisiana, and that more troops will follow as soon as they can be marched to the coast, and transports provided. From the communications of an intelligent passenger, it is presumed that the American trade will be severely restricted, and that the United States have little to expect from France, or the score of commercial favours. The American Merchants have indeed little to hope from the friendship of foreign powers, whose necessities alone can extort a demand for our productions. European jealousy and policy will endeavor to curtail our credit and damp our trade. American enterprise and activity, will, however, surmount every obstacle.

The Virginia Gazette.

—RICHMOND—
FRIDAY, MARCH 5, 1802.

A letter from Paris, via New-York, dated December 7, 1801.

"In my last I mentioned Mr. Livingston's arrival at L'Orient. At present he is here, where his business will be less difficult than I supposed. Our claims for depredations, I then considered a matter of the first consequence to be adjusted; these I now find are expressly done away by the treaty, which we were entirely ignorant of until it was submitted to the legislature here for approbation.

I wish much to know the sentiments of the American people upon that part of the treaty and for which we have received—NOTHING—What advantages a commercial treaty may give us, remains to be known—I expect few or none.

We find American vessels cannot be sold here, because they cannot be made free French bottoms—look at the difference in the duties on goods imported in French or American vessels, on tobacco it is 10 per cent—which is a prohibition."

Extract of a letter from Lancaster, dated Jan. 12.

"The incompatible bill passed the Senate this day, without debate. Having passed each house by a majority of two thirds, it becomes a law of course, without the signature of the governor. This has been a severe shock to his excellency. He is very much irritated; and if he had the power of Cromwell on this occasion, would perhaps make the same use of it, and dissolve the parliamentum in blood."

(Gaz. United States.)

Official Information.

By a letter received from His Excellency Don Carlos Martinez de Yrujo, his Majesty's Plenipotentiary near the United

States—dated the first instant, I am directed to give notice, to all whom it may concern, in the different States under this consulate, that by order of his Catholic Majesty, in consequence of the general peace of Europe, a proclamation was published the 16th December last, by the government of the Island of Cuba, prohibiting from that day all foreign vessels to enter the ports of said island, on no reason or pretence whatever.

Don Juan Stoughton,
Consul of Spain for the Eastern States.

For the VIRGINIA GAZETTE.

MR. DAVIS,
As politics have in a measure subsided, and considering the dearth of foreign news, I hope it may not be unacceptable to your readers, for me to present them my feeble exertions to bring into contempt the shameful practice of DUAL-ING.

This practice, I say, Mr. Editor, is too much encouraged by the enlightened men of the present age, and alas! is often attended with fatal consequences. When I contemplate the many evils which flow from it, I am surprised that any enlightened set of men should countenance such an injurious practice. When we consider the many men that might have been ornaments to their country, who have fallen victims to it, it undoubtedly shows us the impropriety of its continuance. When we consider that these differences often originate when the parties concerned are in a state of intoxication, every friend to his country will consider it his duty to suppress them. This practice is often resorted to by young men, as a science from which (they think) they may gain the greatest honor. I have often observed, that after their young men of honor (if they should have courage enough to exchange a shot) return from the field of battle, (for it is seldom either gets hurt) that they assume double the impertinence and pride that they had before. Thus you see it is the means of promoting the vices, which are unworthy the meanest reptile.

AN OBSERVER.

MARRIED!—On Saturday evening last, WILLIAM MUMFORD, Esq. of Mecklenburg county, to Miss SALLY RADFORD, daughter of William Radford, Esq. of this city.

COMMUNICATION.
A short mode of calculating Interest at 6 per cent. per annum, on Virginia currency—the product to be in dollars and cents—reduce the pounds to shillings, out of the two right hand figures—those on the left will be the answer in dollars, those on the right in cents.

EXAMPLES.

£. 1000.	£. 1875	£. 963
20	20	20
Dols. 400 00	D. 375 17	D. 192 71
£. 13 16	£. 8 11	
20	20	

Dols. 2 76 Dols. 1 71
By the above it appears that the interest on a bill of six per cent. is one cent; so that all small sums may be ascertained without the trouble of making calculations. For example, 30s. is 30 cents; 100s. is 100 cents or one dollar. This piece of information may be serviceable to the community: in the hopes and belief that it will be so, is the reason that it is offered to the public in this way. B.

A Young Man
WHO understands Book-Keeping and would prefer some riding, may hear of employment at this Office.

Notice!

WHEREAS the House of HOOPER & TOLLER has conveyed to us Trustees for the benefit of its Creditors, the whole of its Stock and Merchandise in trade, and all its outstanding debts: We therefore give notice to those indebted to said firm, that they are to make payment to us alone.

Robert Gamble,
James Brown,
Charles Macmurdo.
Richmond, 10 March, 1802. 4w.

For Sale, at Auction,
On Tuesday, the 15th instant, on the Cross Street next below the Eagle Tavern.

THE FOLLOWING ARTICLES, viz:
4 Bales Negro Cotton;
50 Pieces do.;
100 do. India Cotton;
1 Trunk Tambor'd and Jaconet Mullin;
1 do. Book Mullin;
Callimanco, Leather and Morocco Slippers;
And a variety of other articles.
4 Pieces Drab and Mixt Calicoes;
9 do. 7-4 Green & Mixt Coat-ings;
5 do. Double & Single Cloths;
1 Bale Kendal Cottons;
30 Pieces do.;
30 Pieces White Plains;
10 do. Coarse Cloths;
10 do. Bath Coatings;
20 Hds. Brown Sugar;
20 do. 3 & 4 proof Antigua Rum;
50 Bags Coffee;
15 Boxes Soap;
3 do. Glass Ware, &c. &c.
Thomas Taylor, v. M.
March 18, 1802.

To the Freeholders of the Senatorial District composed of the counties of Henrico, Goochland, and Louisa.

FELLOW-CITIZENS,
WITH grateful acknowledgments for the honor you did me by my election as senator for the last term, and a consciousness of having discharged my duty to you and the commonwealth according to the best of my feeble abilities, I take the freedom through this medium to make known to you my willingness to serve the district for the ensuing term.—Should my former services be now rewarded by your approbation, the highest possible reward, I flatter myself that my future conduct will be correspondent with the true interest of my country and constituents—whilst I remain with grateful respect and esteem,
Your obt. humble servant,
THOMAS ROYSTER.
March 18, 1802.

The Thorough Bred Horse, Americus;

WILL STAND at my stable the ensuing season, and will cover mares at the moderate price of Twenty Dollars the season, Eight Dollars the leap, or Thirty Two Dollars to insure a mare being with foal, and in either case, Half a Dollar to the Groom. The leap money to be sent with the mares also; but the twenty Dollars may be discharged by the payment of fifteen, on or before the last day of July, at which time the season will expire. The season will commence on the 25th day of March. Mares will be fed with grain if required at the market price; rich and extensive pasturage, and the board of boys gratis—all possible care taken of mares, but no responsibility for escapes or accidents.

A MERICUS
Was got by Shark, his dam by Wildair, his grand dam by Vampier, out of col. Braxton's imported mare Kitty Fisher. Wildair was got by Fearnought, Fearnought by Regulus, Regulus by the Godolphin Arabian. Kitty Fisher was got by Cade, which was got by the Godolphin Arabian. Americus' dam was the dam of Melzar, Kitty, Medley, and Minerva, and his colts are excellent by no horses on the continent, and there is no doubt that they are of the best stock in America.
John Hopkins.
King & Queen, Feb. 12, 1802.

Public Sale.

By order of Mr. Robert Pollok, on the premises in Manchester, on the 15th April next, that

Brick Tenement,

WITH ITS APPURTENANCES, at present in the occupancy of Messrs. Robert Pollok & Co. Terms of sale, 12 months credit—bond with approved security. Mr THOMAS TREADWAY will, on application, shew the premises.
Pfeffer & Moncre, V. Ms.
March 4th, 1802.

FOR SALE, A Tract of Land,

IN AMHERST county, (commonly called the New-Glasgow tract,) containing 431 acres, about half of which is cleared. It lies within 13 miles of two inspections of Tobacco, on James river, and two of a Merchant Mill, in an agreeable neighborhood, and is a remarkable healthy situation. The improvements are a framed Dwelling House, (for many years occupied as a Tavern) with 8 rooms and a lengthy Portico, and every necessary out house; a framed Store house, with 5, including two shed rooms, with brick chimney; a framed houses, with brick chimneys, containing two rooms each; a dwelling house built of hewed logs, with a plank floor, 2 rooms below, and a stone chimney. On the same lot with this last building is a good shop for a tradesman and some necessary out houses; an orchard of near 200 choice bearing Apple trees, beside various other kinds of fruit trees, and a well enclosed garden. This land will be divided to suit purchasers, if a sale of the whole can be effected. It will be shown by Mr. Richard Herndon, living near it, and the terms made known by the subscriber, residing near Warmistler, to any person inclined to purchase. If it should not be disposed of before the 15th (it being the third Monday) of May next, it will on that day, be sold at Amherst Courthouse, to the highest bidder, on a credit of 2, 4, and 6 years, for one third of the money respectively, when further particulars and conditions respecting the sale will be made known by
Will. Cabell.
February 15, 1802. 1aw 6t.

Hampden Sidney,

January 22, 1802.

THE TRUSTEES of the College wish to inform the public, that the buildings are in good repair for the reception of Students; and that the Rev. Archibald Alexander, who some months ago gave up the charge of the College as President, has consented to return, and has been re-appointed to that office. 4w

Dissolution of Partnership.

THE public are hereby notified, that the Partnership in Trade, formerly carried on by David Buchanan, James Dunlop, and Robert Pollok, under the firms of
BUCHANAN, DUNLOP, & Co.
DUNLOP, POLLOK, & Co.
ROBERT POLLOK, & Co.
Was dissolved, on the 31st day of August 1801.
Mr. James Dunlop will pay and receive all debts due by and to the concern, at Peterburg, as will Mr. Robert Pollok, those at Richmond and Manchester.
David Buchanan,
per his Attorney at law,
Robert Pollok.
James Dunlop.
Robert Pollok.
Peterburg, 5th Oct. 1801.

The Subscriber, having taken the
Raleigh Tavern,
IN the City of Williamsburg,
under his own management; and having laid in a large supply of the best wines and other LIQUORS, is encouraged to suppose, from his former success in this line of business, that he shall be able to give complete satisfaction to travellers and others, who shall resort to his house for entertainment. He also with pleasure informs the public, that owing to the fall which has taken place in the price of most of the productions of the country, he is enabled to reduce the Stage Rates to what they formerly were. Baggage carried as usual, at the rate of the owner.
Philip Moody.
Williamsburg, Dec. 24, 1801.

NOTICE.

The Subscribers have formed a Commercial connexion, under the firm of
Long and Crews.
THEY will be principally concerned in the purchase of Country Produce.
Should any business be offered in the Commission Line, it will meet due attention from Thomas Crews, residing in Lynchburg, and Will. Long, here.
Their Office is on the second story above Messrs. Ellis & Allan's Store.
Will. Long,
Thomas Crews.
Richmond, Jan. 1st, 1802.

KNOWSLEY,

The most elegant and high formed English Horse, 15 hands 3 inches high, a fine bay, 6 years old last May, in great perfection, and of muscular strength and beauty not inferior to any horse in the state, which will be readily acknowledged by those who will take a fair and impartial examination of him, full of vigour, and entirely clear of blemish—will stand at my stable on Sandy Point the present season; and will cover Mares at SIX GUINEAS, which may be discharged by the payment of TWENTY DOLLARS on or before the 10th day of August next: TEN GUINEAS to insure a colt, and THREE by the Leap, with One Dollar to the Groom at the stable door for each Mare. Mares may be fed at the market price of grain, in manner and quantity directed by the proprietors: Servants will be boarded without charge, and pasturage supplied gratis, equal in extent and goodness (if not superior) to any in the commonwealth, and laid out in different apartments, so as to suit Mares in foal, those that have foals, and all others. Here gentlemen will find it greatly to their interest to avail themselves of such advantages, independent of the high consideration of raising horses from to fine a stock. This horse has cost me on landing in this country upwards of seven hundred pounds sterling, which can be seen by reference to papers in my hands; and even at this price it was with difficulty he could be obtained, for my agent, a gentleman of great veracity, writes he could have sold him for 170 Guineas more than the original purchase, which evidently proves the high estimation he was in.
Pedigree, given by Lord Derby in the following words, viz. "I do hereby certify, that the bay horse called KNOWSLEY, late the property of the Prince of Wales, was bred by me. He was got by Sir Peter Teazle, out of Capella, and was six years old last May, and no more."
(Signed) "DERBY. [Seal.]"
Knowsley, June 15, 1801.

Capella was bred by general Parker, foaled in 1773, and got by Herod—See General Stud Book, page 40. Sir Peter Teazle was got by Highflyer, in 1784—See same book, page 182. Highflyer was got by Herod—See page 201—And so on he may be traced through a noble line of

ancestors for ages past, without a single flaw in his genealogy, either on the male or female side.

This extraordinary horse ran often with great credit at two years old, and at three proved successful; and so continued until the last of the year 1800. In 1801 he was purchased for me, and sent to Virginia. In 1798 he won a sweepstake of 20 guineas each, for three year olds, 3 subscribers, once round the ground, beating Mr. Pierce's b. c. by Walnut, Sir H.T. Vane's Puff forward, Sir H. Williamson's Strippling, Mr. Fletcher's g. c. Camperdown, Mr. G. Crompton's c. Baffo, and Lord A. Hamilton's b. g. by Spadille, out of Snow Drop. See Calendar for 1798. He also won the Members' Plate of 50 guineas for three and four year olds, beating Lord Derby's four year old colt by Diomed, five to one on Knowsley, who was then Mr. Field's property. See Calendar for 1799.

In May, 1799, York. On Tuesday May 23, a sweepstake of 20 guineas each, (7 subscribers) then the property of Mr. Walker, was won by Knowsley, beating Lord Fitzwilliam's ch. h. Wonder, five years old, Lord Hamilton's ch. h. by Walnut, Sir Thomas Gascoigne's Maid of the Mill, and John Robinson's b. c. Abraham Newland. On Thursday the 30th following, he also won the Stand Plate, of 50 guineas, for four year olds, beating Lord A. Hamilton's b. c. by Spadille, Mr. Garforth's mare Caroline, 6 years old, Lord Belhaven's ch. h. Master Robert, 6 years old, Mr. Wentforth's Banaby, and Mr. J. Anson's g. h. Little Scott, 5 years old.—See Calendar for 1799.

In June, 1800, (Guildford) the Prince of Wales owned him, and won the King's Plate for 4 year olds, of 100 guineas—10 stone 4 lbs. four mile heats, and beat Lord Donegal's b. h. by Pot 8 o's.—See Calendar for 1800, page 35.

Winchester, July 8. His Majesty's Plate of 100 guineas was run for and won by Knowsley, beating Lord Donegal's b. h. by Pot 8 o's, 5 years old, and Sir F. Evelyn's, b. h. Alparagus, 5 years old, 6 to 4 on Knowsley.

Lewes, August 12, 1800. The King's Plate of 100 guineas, four mile heats, was one by Knowsley, beating Lord Donegal's ch. c. Fluegan; four to one on Knowsley. Thursday following he once a subscription of 10 guineas each, beating Mr. Durand's Bellefina, and Mr. Ladbrooke's Humbug. See Calendar for 1800—78 and 79.

Litchfield, on Thursday September 9, he won the King's Plate of 100 guineas, three mile heats, for 5 year olds, carrying 8 stone 7 lbs, beating Mr. Heming's b. h. Florio, ten to one on Knowsley.

Notwithstanding these evidences of Knowsley's superior worth, yet it is my wish that gentlemen should be still further satisfied by a personal view of him; it is my desire that those who are inclined to speak and act candidly, would visit me in the Spring, and take a ride over the pastures, that they may be satisfied that nothing here asserted is exaggerated.
WILLIAM LIGHTFOOT.
February 1, 1802.

N. B. I will not be answerable for involuntary escapes or accidents.

UNITED STATES:
Fourth Circuit, Eastern District of Virginia.
December Term, 1801.
Lewis Morgan and Hester Morgan, executor and executrix of Benjamin Morgan, dec'd. Plaintiffs,
AGAINST
Alexander Banks, administrator with the will annexed of Thomas Banks, deceased, who was the surviving executor of Jacob Rubbamen, deceased, David Rubbamen, Jacob Balhefer Rubbamen, and Maria Catharine Rubbamen, legatees of the said Jacob Rubbamen, dec'd. Defendants.
THE defendants David Rubbamen, Jacob Balhefer Rubbamen, and Maria Catharine Rubbamen, not having entered their appearance and given security according to the rule of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this district: On the motion of the plaintiffs, by their counsel, It is ordered, That they severally appear here on the first day of the next court, and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some one of the newspapers published in the city of Richmond, for three weeks successively, and posted up at the front door of the Capitol in the said city.
A Copy—Telle,
WILLIAM MARSHALL, c. c.

Negroes for Sale.

In pursuance of a decree of the hon. the high court of chancery, in the suit of James Hunter's executor against the representatives of Robert Coleman and others, will be exposed to sale at Martinsburg, in the county of Berkeley, on Monday the 22d day of March, being court day,
SUNDRY SLAVES,
The property of the late Nath. Pendleton Esq. dec. at auction for ready money, to satisfy the claim of the plaintiffs against the said Robert Coleman and others.
Edward Smith,
Richard K. Meade, } Commissioners
Thomas Maffie,
Feb. 23, 1802.

SEEDS.

Minton Collins,
Respectfully informs his friends and the public, that he has lately received, from the Northern States, a very general assortment of
GRASS SEEDS;
And from London, via New-York, a fresh assortment of
GARDEN SEEDS,
Which may be had at his SEED STORE, for CASH only, viz.

Red & White Clover,
Trefle or yellow ditto,
Lucern & Timothy seed,
Barnet & Ryegrass ditto,
Bluegrass, Burden grafs, & Saint-foine,
Furze or Whin feed, Spring Tares, or Vetches,
Hemp, Flax, Rape, Mustard, Canary, and Spinnage,
Large Norfolk and Summer Turnips, Early salmon, short-top and white Turnip Radish feed,
Early Frame, Hotspur, Charlton, Marrowfat, Spanish Morotto, & Prolific Peas,
Large Windsor, long-pod and Maffagan Beans,
Blood red Beet, and Solid Celery,
Early York, Sugar Loaf, and Batter-sea Cabbage feed,
With an assortment of Glass Flower Bottles; some Painted Flower Pots, and Bechers for Chimney Ornaments, and Red Garden Rots, &c.
A TREATISE ON GARDENING, by a Native of this State.
Richmond, Dec. 31, 1801. (tf)

The SUBSCRIBER,
Begg leave to inform the public, and his friends, that he has taken
THE TAVERN,
FORMERLY occupied by Col. Parke Goodall, in the City of Richmond; and he flatters himself from his knowledge of the business and his strict attention, to render general satisfaction. His house shall always be supplied with the best materials for that purpose, having a plenty of good servants, and an excellent hostler: his Stables will be supplied with plenty of Forage and Litter.
He wishes to take a few
BOARDERS,
at the customary price; and has also made preparations for the accommodation of
FIFTEEN or TWENTY
Members of the Assembly,
who shall be strictly attended to, by
Peter Wilkinson.
Richmond, Dec. 1st, 1802.

Wanted as a Tutor,
IN a private family, a person who is capable of teaching the English and Latin Languages, also writing and arithmetic. Such a one who can come well recommended, as to his sobriety and good demeanor will meet with generous encouragement. Apply to the printer hercof.
Feb. 15, 1802.
GEO. NICOLSON.
Richmond, Feb. 18, 1802. 3W

I INTEND leaving the state for a few months, during which time Mr. Andrew Nicolson, of Manchester, is fully empowered to transact any business on my account.
GEO. NICOLSON.
Richmond, Feb. 18, 1802. 3W

William Temple,
Has Imported by the latest arrivals from London & Liverpool,
A GENERAL ASSORTMENT OF MERCHANDIZE,
Which he will dispose of low, by the PIECE or PACKAGE.
He has also just received the following Articles, for sale.
PIPER, } Genuine Old Port
10 Hogsheads, } WINE.
3 Qr. Cases,
3 Pipes Madeira Wine;
1 Hhd. Old Antigua Rum, 4th Proof;
10 Tierces London Porter;
20 Hhds. Sugar;
50 Bags Coffee;
700 Sacks Liverpool Salt.
Richmond, Nov. 30, 1801.

CASH GIVEN FOR TOBACCO,
AT the second house below the Eagle Tavern, by
John Richard, & Co.
Richmond, Nov. 19, 1801.

UNITED STATES:

Fourth Circuit, Eastern District of Virginia.
December Term, 1801.
James B. Boney, administrator of Benjamin Boney, deceased. Plffs.
AGAINST
Alexander Banks administrator with the will annexed of Thomas Banks, deceased, who was the surviving executor of Jacob Rubbamen, dec'd. David Rubbamen, Jacob Balhefer Rubbamen, and Maria Catharine Rubbamen, legatees of the said Jacob Rubbamen, deceased. Defendants.
THE defendants David Rubbamen, Jacob Balhefer Rubbamen, and Maria Catharine Rubbamen, not having entered their appearance and given security according to the rule of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this district: On the motion of the plaintiffs by their counsel, It is ordered, That they severally appear here on the first day of the next court, and answer the bill of the plaintiffs, and that a copy of this order be forthwith inserted in some one of the newspapers published in the city of Richmond, for three weeks successively, and posted up at the front door of the Capitol in the said city.
A Copy—Telle,
WILLIAM MARSHALL, c. c. epjw.

Peach & Apple
BRANDY
For Sale by the barrel.
E. W. Rootes.
Richmond, Dec. 27, 1801.

E. W. ROOTES,
HAS FOR SALE,
Antigua Rum, by the Hhd.
Holland Gin, by the Pipe;
Cotton Cards, by the Box, assorted;
Philadelphia Porter, by the Barrel, of 3 doz. bottles.
Candies, by the box;
2d 3d 4d 5d and 6d Nails, by the barrel;
20 Tons Swedish Iron, assorted.
Excellent Madder, by the Cask;
AND A GENERAL ASSORTMENT OF
SHOES.
Richmond, September 26, 1801—

SPORTS OF THE TURF!
NEW-MARKET.
In consequence of the elections in the different counties in this state coming on the 27th day of April, at which time the New-Market Races are advertised, and from a desire of many gentlemen of the turf also, I am compelled to alter the time to the third Wednesday in May, at which time they will certainly commence, agreeable to the former tenor, viz.:
FIRST day, a Sweepstake, by three year old colts and fillies, carrying each 80 lbs. two mile heats, entrance One Hundred Dollars, half forfeit. This subscription will be kept open until the 15th day of April, and no longer. Entrance to be made by letter or personal application to the subscriber. Should more than six start, the entrance money of the second best will be returned.
Second day, a purse of 400 dollars will be run for, four mile heats, entrance 30 dollars. Weights as heretofore established.
Third day, a purse of 200 dollars will be run for, two mile heats, entrance 15 dollars.
And the fourth day, a Sweepstake, by three and four years old colts and fillies, the former carrying 80 lb. and the latter 20 lb. two mile heats, entrance 100 dollars. This subscription will be closed the evening of the third day's race; and if five or more nags start, the entrance money of the second best will be returned.
Good stables and litter furnished for race horses GRATIS.
STIRLING GARY,
Keeper of the Course.
February 14, 1802.

THE Subscriber having taken the above Course for two years, has furnished himself with good beds, as well as stables, together with others and servants of a proper description; also, liquors of a superior quality. He flatters himself from his experience, and a desire to please, in the above business, to give general and complete satisfaction.

VIRGINIA:
In the High Court of Chancery.
Between
DAVID ROSS,
And
JOHN OLD,
Plaintiff,
Defendant.

THIS cause came on the twenty-sixth day of May, in the year of our Lord one thousand eight hundred and one, to be heard on the bill, answer, exhibits and examinations of witnesses, and was argued by counsel; on consideration whereof the court doth adjudge and decree: unless the defendant do on or before the twenty-sixth day of November next, pay unto the plaintiff, two hundred and sixty seven pounds, thirteen shillings and ten pence, of current money of Virginia, with interest thereupon to be computed after the rate of five per centum per annum, from the twenty third day of April, one thousand seven hundred and eighty-five, until payment and the cost expended by the plaintiff, in the prosecution of this suit, that the said defendant and his heirs, and all persons claiming under him, be from thenceforth barred and foreclosed of all equity and right, to redeem the several tracts or parcels of land mentioned in the indenture of mortgage, among the exhibits made the twenty third day of April, one thousand seven hundred and eighty-five, between John Old of the one part, and David Ross of the other part; and in case of default in the payment of the said principal money, interests and costs, at the time aforesaid, that David S. Garland, John Wyatt, George Dillard and John Christian, or any two of them, after giving three weeks previous notice, in one or more of the Richmond newspapers, do expose to public sale, by auction, for ready money, the lands in the said indenture mentioned and out of the proceeds of such sale, pay unto the plaintiff, the said principal money, interests and costs, and the surplus, if any after deducting the expenses attending the sale, pay unto the defendant, and make report thereof to the court.
A Copy—Telle
PETER TINSLEY.

Plaintiffs costs clerk and sheriffs Dols. Cts.
fees, 16 97
Lawyers fee and tax, 17 66
34 63

IN obedience to the foregoing decree, we will sell, at public sale, at Amherst court house, for ready money, on the 15th day of March next, (it being court day) the Lands in the said decree referred unto, which we find by the Mortgage to be 120 acres more or less, in the great bend of James River, Amherst county, purchased by the said John Old, from George Hilton; also another piece or parcel of Land, containing five acres, commonly called the Mine-bank, purchased from said George Hilton. This Land was intended, as we are informed by the said John Old, for erecting a furnace for making iron, for which purpose it is tho't to be well adapted. The said mortgage also conveys all the entries made by said Old, joining the said land, which will be sold at the same time and place.

David S. Garland.
George Dillard.
John Christian.
January 30, 1802. tds

SECOND NOTICE, In the case of JOHN CARTER, BANKRUPT.

WHEREAS a commission of bankrupt founded upon the statute of the Congress of the United States, passed the fourth day of April, in the year one thousand eight hundred and one, entitled, "An Act to establish a uniform System of Bankruptcy throughout the United States," has been awarded and issued against John Carter, of Pittsylvania county, in the district of Virginia, Merchant, and he has been declared Bankrupt; and he is hereby required to surrender himself to the commissioners in the said commission named, or the major part of them, on the third and thirty-first days of March, and on the third day of April, next ensuing, at eleven of the Clock in the forenoon of each day, at the office of the Underigned, lower end of Bollingbrook-street, in the town of Peterburg, and make a full and true discovery and disclosure of his estate, real and personal, of every nature and description, to which he may be entitled either in law or equity, when and where his creditors are to come prepared to prove their debts, at the second meeting to choose assignees, and at the last meeting the said Bankrupt is required to finish his examination.
All persons indebted to the said Bankrupt, or who have any of his effects, are not to pay or deliver the same, but to whom the commissioners shall appoint.
CONRADE WEBB,
Solicitor to the Commissioners.
Commissioner's Office, Peterburg, 20th February, 1802. tAp.3

A FEW COPIES OF
Henning's Justice,
May be had at this Office, and of Mr. P. M. Fry, Book-Binder and Stationer.